Amendment Under 37 C.F.R. 1.312 filed December 7, 2005

Application No.: 10/089,187 Docket No.: 3868-0114P

## <u>REMARKS</u>

This Amendment Under Rule 312 is being filed in response to the Notice of Drawing Inconsistency with Specification mailed November 8, 2005. This Amendment amends the Brief Description of the Drawings section to refer to Figure 4. No new issues are being raised by this Amendment.

## Conclusion

The Examiner's rejections have been overcome. No issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner, Ph.D. (Reg. No.42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Amendment Under 37 C.F.R. 1.312 filed December 7, 2005

Application No.: 10/089,187 Docket No.: 3868-0114P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: December 7, 2005

Respectfully submitted,

for James M. Slattery

Registration No.: 28,380

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant